



DELTA STEWARDSHIP COUNCIL

A California State Agency

980 NINTH STREET, SUITE 1500
SACRAMENTO, CALIFORNIA 95814
WWW.DELTACOUNCIL.CA.GOV
(916) 445-5511

Date: October 18, 2010
To: Delta Stewardship Council Members
From: Joe Grindstaff, Executive Officer
Subject: Meeting, October 28-29, 2010

Chair
Phil Isenberg

Members
Randy Fiorini
Gloria Gray
Patrick Johnston
Hank Nordhoff
Don Nottoli
Felicia Marcus

Executive Officer
P. Joseph Grindstaff

The agenda and supporting material for our eighth meeting is attached. Some additional handouts may be provided at the meeting. I offer some brief comments for your perusal.

Key parts of Thursday's agenda include the adoption of some special contracting procedures required by recent legislation, a review of and possible action on recommendations by the Early Action Committee, and our third report and suggested scoping comments on the BDCP from our independent consultant, ARCADIS.

Included on Thursday's agenda, and overlapping into Friday, will be detailed discussion of the Delta Plan and a review of two White Papers, a preliminary CEQA Notice of Preparation (NOP), and a Comment Matrix for comments received about the Plan's development.

Adoption of Contracting Procedures (Agenda Item 5)

SB 1450 (which took effect on September 26 as an urgency measure) allows the Delta Stewardship Council (DSC) to use expedited contracting processes for the development of the Delta Plan and other specified functions, but first required the DSC to adopt contracts procedures. The bill offers exemptions that will give the DSC more flexibility to acquire the necessary expertise to complete the Delta Plan by the statutory deadline of January 1, 2012. Typically the rules governing state contracting are quite complicated and lengthy. The exemptions do not affect the conflict of interest rules that govern financial interest, which still apply to all contracts entered by the DSC.

Recommendations From Early Action Committee (Agenda Item 8)

An Early Action is a recommendation by the Council of an action that should be implemented prior to the adoption of the Delta Plan. Of the Early Action applications received and reviewed by the two-member Early Action Committee (comprised of DSC Chair Phil Isenberg and Vice Chair Randy Fiorini), several were discussed at length and applicants were asked to do additional work. Of the proposals heard at their October meeting one will be recommended for inclusion in the Interim Plan.

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

– CA Water Code §85054

Update on the Bay Delta Conservation Plan (Agenda Item 10)

The Council will receive its third report from ARCADIS, an independent consultant hired to review the Bay Delta Conservation Plan (BDCP). Included will be information on the release of a public viewing draft by the BDCP on November 18 that will include a draft EIR/EIS scheduled for possible release in the spring or early summer of next year. Also included in the discussion will be a Summary of Unresolved Issues to Date and an outline for a possible draft comment letter. This update will show what new information has become available, the information that will be discussed by the BDCP in the near term, and the upcoming information requests to the BDCP.

Delta Plan Development (Agenda Item 11)

Four separate attachments are included in this agenda item. Two are White Papers, one on the Delta Ecosystem and the other on the Delta's Flood Risk. A companion presentation and discussion will help make these issues clearer. These, and subsequent White Papers, will be used as informational documents designed to educate the Council on the background and critical issues of each of these policy items. Another attachment is the Preliminary Notice of Preparation (NOP). The NOP is the first step in the California Environmental Quality Act (CEQA) process. The CEQA process needs to be completed before the Delta Plan can be adopted. The NOP is the Council's announcement of what will be accomplished during the CEQA process. There are several key issues in the NOP, the first one is the secondary planning area which could cover most of the state and might be controversial. The proposed project is the heart of the document beginning in the middle of page 10 and ending on page 15. The decisions made on conservation, habitat restoration, flood management, Delta water flows and land-use have the potential to impact more than two of every three Californians. I expect much discussion about the range of alternatives for inclusion in the Delta Plan. The final attachment for review is the Comment Matrix for Comments Received. The Matrix is the methodology on how the comments were received and how they will be reviewed compiled through the CEQA process.

Our October meeting is once again being held within the legal boundaries of the Delta. It will be in the first floor Galleria of the West Sacramento City Hall. The address is 1110 West Capitol Avenue, West Sacramento.

If I can answer any questions or provide any information, please contact me at (916) 445-4500 or jgrindstaff@deltacouncil.ca.gov